

the Food and Drugs Act, as amended, from the State of Tennessee into the State of New York, of quantities of strawberries in unlabeled crates, which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 28, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10258. Adulteration and misbranding of gelatin. U. S. * * * v. 7 Bags * * * and 4 Barrels of * * * Gelatin * * * Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15737, 15743. I. S. Nos. 8832-t, 8834-t. S. Nos. E-3694, E-3710.)

On December 19, 1921, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7 bags, containing approximately 1,600 pounds, and 4 barrels of gelatin, remaining in the original unbroken packages at Baltimore, Md., consigned on or about February 4 and 8, 1921, respectively, alleging that the article had been shipped by Peter Cooper's Glue Factory, Gowanda, N. Y., and the Keene Glue Co., Keene, N. H., respectively, and transported from the States of New York and New Hampshire, respectively, into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part, "From Keene Glue Co., Keene, N. H. * * *."

Adulteration of the article was alleged in the libels for the reason that a substance, to wit, glue, had been mixed and packed with, and substituted wholly or in part for, the said article and for the further reason that it contained added poisonous or deleterious ingredients, to wit, copper and zinc, which might render it injurious to health.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 2, 1922, William H. Ferris and Ernest C. Ferris, copartners, trading as Ferris Bros., Baltimore, Md., claimants, having admitted the material allegations of the libels and having averred that the product had been purchased by them upon representations by the manufacturers thereof that it was fit for human consumption, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that it be not disposed of contrary to the provisions of the Food and Drugs Act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10259. Adulteration and misbranding of extracts of orange, lemon, strawberry, and raspberry. U. S. * * * v. Extract of Orange, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15927. I. S. Nos. 8101-t, 8102-t, 8103-t, 8104-t. S. No. E-3729.)

On January 23, 1922, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles of extract of orange, 57 bottles of extract of lemon, 36 bottles of extract of strawberry, and 36 bottles of extract of raspberry, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Leading Perfumers & Chemists, Inc., New York, N. Y., alleging that the articles had been shipped from New York, N. Y., on or about October 26, 1921, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the orange extract and lemon extract was alleged in the libel for the reason that a product deficient in orange oil or lemon oil, as the case might be, had been mixed and packed therewith so as to reduce and lower and injuriously affect their quality and strength and had been substituted wholly or in part for extract of orange and extract of lemon, which the said

articles purported to be. Adulteration of the alleged strawberry and raspberry extracts was alleged for the reason that imitation flavors had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration was alleged with respect to all the products for the further reason that they had been mixed and colored in a manner whereby their damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the following statements, designs, and devices regarding the said articles and the ingredients contained therein indicated to the purchaser that the respective articles contained (labeling of all products) "* * * Vegetable color * * * Strength Combined with delicacy of flavor makes this extract unexcelled," (respective articles) "Extract of Orange," "Extract of Lemon," "Extract of Strawberry 2 Fluid Ounces," "Extract of Raspberry, 2 Fluid Ounces," when in fact they did not contain the respective products and amounts as indicated. Misbranding was alleged with respect to the said strawberry and raspberry extracts for the further reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct. Misbranding was alleged with respect to all the products for the further reason that they were imitations of, and were offered for sale under the distinctive names of, other articles.

On February 16, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10260. Misbranding of Injection Zip. U. S. * * * v. 5½ Dozen Bottles * * * of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11105. I. S. No. 7692-r. S. No. C-1421.)

On September 2, 1919, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozen bottles of Injection Zip, at Detroit, Mich., alleging that the article had been shipped by the Baker-Levy Chemical Co., Indianapolis, Ind., October 30, 1918, and transported from the State of Indiana into the State of Michigan, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Injection Zip * * * Guaranteed by the Baker-Levy Chemical Company * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of lead acetate, 0.15 per cent; zinc sulphate, 0.04 per cent; small amounts of opium and berberine; alcohol, 2.1 per cent; and water approximately 96 per cent.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the labels of the bottles containing the said article and in the accompanying circular falsely and fraudulently represented that it would produce speedy relief and cure of venereal diseases, without stricture, that it was an excellent preparation for the treatment of gonorrhea, gleet, and leucorrhea, and that it was the best preventive for said disease, and that ladies troubled with leucorrhea (whites) would obtain speedy relief and that obstinate cases thereof would be relieved in four to five days, whereas, in truth and in fact, the said article contained no ingredient or combination of ingredients capable of producing the said effects.

On March 8, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10261. Misbranding of Nerv-Mintz. U. S. * * * v. 24 Boxes * * * of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13494. I. S. No. 24615-r. S. No. C-2326.)

On August 25, 1920, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 boxes of Nerv-Mintz, at Detroit, Mich., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about January 20, 1920, and transported from the State of West Virginia into